

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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CHAD PELISHEK,

Plaintiff,

v.

Case No. 23-CV-1048

CITY OF SHEBOYGAN, et al.,

Defendants.

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**DEFENDANTS' UNOPPOSED CIVIL L.R. 7(H) EXPEDITED NON-DISPOSITIVE  
MOTION FOR LEAVE TO FILE OVERLENGTH REPLY BRIEFS IN SUPPORT OF  
SUMMARY JUDGMENT**

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Defendants, by and through their attorneys, MWH Law Group, hereby move this Court pursuant to Civil Local Rule 7(h) for leave for both parties to file an overlength brief in support of their respective Motion for Summary Judgment. In support of this unopposed Motion, Defendants submit the following:

1. On October 15, 2024, the Plaintiff filed an Amended Complaint which contained more than 200 paragraphs, was thirty-nine pages and pled several Title VII and civil rights claims under § 1983, reflecting a range of complex factual and legal issues. (Dkt 13.)

2. On March 3, 2025, the Defendants moved for summary judgment based on the allegations that Plaintiff has raised within the Amended Complaint, and on April 11, 2025, the Plaintiff filed a response in opposition. (Dkt. 116, 143.)

3. On March 3, 2025, the Plaintiff moved for partial summary judgment, and on April 11, 2025, the Defendants filed a response in opposition. (Dkt. 125, 140).

4. The parties' respective deadlines to respond to the summary judgment motions is May 2, 2025. (Dkt. 159).

5. The nature of the claims advanced in this matter requires a multi-faceted analysis to adequately present facts and law. As such, Defendants require more than the 15 pages allotted under Local Rule 56 (b)(8) to adequately brief the issues at hand and respectfully request leave of the Court for an additional 7 pages, excluding the caption page, table of contents and signature line.

6. In support of this request, the Defendants acknowledge the Court's Order in Docket Entry 112, where the Defendants' Motion to Enlarge the Number of Pages for Summary Judgment Brief and Number of Proposed Findings of Fact was granted in part. In the Order, the Court noted that, after reviewing the previously oversized briefs, they did not need to be as long. In light of that Order, the Defendants have painstakingly reviewed and revised their reply brief to ensure their submission is as concise as possible and narrowly tailored to the issues at stake.

7. In Defendants' Reply Brief in Support of their Motion for Summary Judgment, Defendants intend to cover the following issues: whether the plaintiff has presented evidence to support his disparate treatment Title VII claims, whether Plaintiff has presented evidence of discriminatory intent for a jury to consider, whether the Plaintiff has advanced an actionable adverse employment action based on a protected status, whether Plaintiff has established a constructive discharge claim, whether Plaintiff has brought forth evidence of unlawful harassment, whether Plaintiff has presented triable issues on his *Monell* Claim (including whether there is a widespread policy or custom that caused a constitutional deprivation), whether government officials ratified Rendall-Araujo's conduct that allegedly caused a constitutional violation, whether each of the individual defendants are entitled to qualified immunity (with separate analysis for each of the three individually named defendants), whether the Plaintiff has standing to assert a prior restarting claim and whether Plaintiff's first Amendment prior restraint claim is moot.

8. Defendants respectfully submit that it will be prejudiced if it is not allowed the additional pages to present its Motion for Summary Judgment fully and adequately.

9. Counsel for Defendants has conferred with counsel for Plaintiff on this Motion and Plaintiff's counsel has indicated there is no objection to this Motion as written, but ask that the request to enlarge the number of pages would be applied reciprocally to both the Defendants and the Plaintiff. Defendants do not object to this.

10. Plaintiff's counsel has been provided a copy of this motion and has approved Defendants filing the same unopposed.

**WHEREFORE**, Defendants request that the Court grant their Motion for Leave to File an Overlength Brief in connection with the Summary Judgment Reply Briefs of both parties.

Dated: April 30, 2025

**MWH LAW GROUP LLP**

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Director Emily Rendall-Araujo

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